

Conducted Energy Device

304.1 PURPOSE AND SCOPE

This policy provides guidelines for the issuance and use of TASER devices.

304.2 POLICY

The TASER® device is intended to control a violent or potentially violent individual, while minimizing the risk of serious injury. The appropriate use of such a device should result in fewer serious injuries to officers and suspects.

304.3 ISSUANCE AND CARRYING TASER DEVICES

Only members who have successfully completed department-approved training may be issued and carry the TASER device. The current TASER model issued is the X26P TASER. All sworn, uniformed field personnel (Patrol Officers/Sergeants, Traffic Officers/Sergeants, CLO Detail and SRO Detail) are individually issued a TASER package (includes TASER, holster, and two cartridges). Detectives (non-uniformed) personnel who regularly work Patrol overtime may be issued a TASER at the discretion of the Research and Training Division Commander based on spare TASER availability. Additionally, eight (8) TASER packages are assigned to the Detective Division, two (2) for each section and six (6) TASER packages are assigned to the Special Investigations Division, two for each section (V&N, CIT, & Gangs). The Section Sergeants in both Detectives and Special Investigations are responsible for storing their Division's TASERs and issuing them to Division personnel as needed. An additional inventory of twenty (20) TASER packages are kept by the Range Staff and are available for use during special deployments. Five (5) spare TASER units will be secured in the Watch Commander's Office for optimal availability.

TASER devices are issued for use during a member's current assignment. Those leaving a particular assignment may be required to return the device to the Department's inventory.

Officers shall only use the TASER device and cartridges that have been issued by the Department. Uniformed officers who have been issued the TASER device shall wear the device in the mandated holster, worn on the Sam Browne belt on the opposite side of the firearm in a cross-draw configuration. If use of the mandated holster poses a risk to an officer's safety, it is the responsibility of the Research and Training Division Commander to review such cases individually and to determine whether the officer should be issued an alternate, Department-approved thigh holster.

Members carrying the TASER device should perform a spark test on the unit prior to every shift.

- (a) All TASER devices shall be clearly and distinctly marked to differentiate them from the duty weapon and any other device.
- (b) Officers shall carry two cartridges on their person when carrying the TASER device.
- (c) Officers shall be responsible for ensuring that their issued TASER device is properly maintained and in good working order.

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- (d) Officers should not hold both a firearm and the TASER device at the same time.

304.4 VERBAL AND VISUAL WARNINGS

A verbal warning of the intended use of the TASER device should precede its application, unless it would otherwise endanger the safety of officers or when it is not practicable due to the circumstances. The purpose of the warning is to:

- (a) Provide the individual with a reasonable opportunity to voluntarily comply.
- (b) Provide other officers and individuals with a warning that the TASER device may be deployed.

If, after a verbal warning, an individual is unwilling to voluntarily comply with an officer's lawful orders and it appears both reasonable and feasible under the circumstances, the officer may, but is not required to, display the laser in a further attempt to gain compliance prior to the application of the TASER device. The aiming laser should never be intentionally directed into the eyes of another as it may permanently impair his/her vision.

The fact that a verbal or other warning was given or the reasons it was not given should be documented by the officer deploying the TASER device in the related report.

304.5 USE OF THE TASER DEVICE

The TASER device has limitations and restrictions requiring consideration before its use. The TASER device should only be used when its operator can safely approach the subject within the operational range of the device. Although the TASER device is generally effective in controlling most individuals, officers should be aware that the device may not achieve the intended results and be prepared with other options.

TASER deployment is defined as any time a TASER is drawn from the holster and aimed with the laser activated, with or without appearing to have a psychological or physical effect on the subject or situation.

304.5.1 DISCHARGE OF THE TASER DEVICE

The TASER device may be used in any of the following circumstances, when the circumstances perceived by the officer at the time indicate that such force is reasonably necessary to control a person:

- (a) The subject is violent or is physically resisting.
- (b) The subject has demonstrated, by words or action, an intention to be violent or to physically resist, and reasonably appears to present the potential to harm officers, him/herself or others.

Mere flight from a pursuing officer, without other known circumstances or factors, is not good cause for the use of the TASER device to apprehend an individual.

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304.5.2 SPECIAL DEPLOYMENT CONSIDERATIONS

The use of the TASER device on certain individuals should generally be avoided unless the totality of the circumstances indicates that other available options reasonably appear ineffective or would present a greater danger to the officer, the subject or others, and the officer reasonably believes that the need to control the individual outweighs the risk of using the device. This includes:

- (a) Individuals who are known to be pregnant.
- (b) Elderly individuals or obvious juveniles.
- (c) Individuals with obviously low body mass.
- (d) Individuals who are handcuffed or otherwise restrained.
- (e) Individuals who have been recently sprayed with a flammable chemical agent or who are otherwise in close proximity to any known combustible vapor or flammable material, including alcohol-based oleoresin capicum (OC) spray.
- (f) Individuals whose position or activity may result in collateral injury (e.g., falls from height, operating vehicles, in physical control of an infant or small child).
- (g) Individuals who are running.
- (h) Individuals who are in close proximity to a body of water.

Utilization of the TASER device in the drive-stun mode (i.e., direct contact without probes) relies primarily on pain compliance. The use of the drive-stun mode generally should be limited to supplementing the probe-mode to complete the circuit, or as a distraction technique to gain separation between officers and the subject, thereby giving officers time and distance to consider other force options or actions.

The TASER device shall not be used to psychologically torment, elicit statements or to punish any individual.

304.5.3 TARGETING CONSIDERATIONS

Reasonable efforts should be made to target lower center mass and avoid the head, neck, chest and groin. If the dynamics of a situation or officer safety do not permit the officer to limit the application of the TASER device probes to a precise target area, officers should monitor the condition of the subject if one or more probes strikes the head, neck, chest or groin until the subject is examined by paramedics or other medical personnel.

304.5.4 MULTIPLE DISCHARGES OF THE TASER DEVICE

Officers should apply the TASER device for only one standard cycle and then evaluate the situation before applying any subsequent cycles. Multiple discharges of the TASER device against a single individual are generally not recommended and should be avoided unless the officer reasonably believes that the need to control the individual outweighs the potentially increased risk posed by multiple discharges.

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If the first discharge of the TASER device appears to be ineffective in gaining control of an individual, the officer should consider certain factors before additional discharges of the TASER device, including:

- (a) Whether the probes are making proper contact.
- (b) Whether the individual has the ability and has been given a reasonable opportunity to comply.
- (c) Whether verbal commands, other options or tactics may be more effective.

Officers should generally not intentionally apply more than one TASER at a time against a single subject.

304.5.5 ACTIONS FOLLOWING TASER DISCHARGES

Officers shall notify a supervisor of all TASER device discharges. The TASER darts shall be treated as biohazard material and booked as evidence along with the used TASER cartridge and several AFID (Anti-Felon Identification) pieces (small, colored paper disks with cartridge serial number on them). The cartridge wires shall also be collected and booked into evidence.

304.5.6 DANGEROUS ANIMALS

The TASER device may be deployed against an animal as part of a plan to deal with a potentially dangerous animal, such as a dog, if the animal reasonably appears to pose an imminent threat to human safety and alternative methods are not reasonably available or would likely be ineffective.

304.5.7 OFF-DUTY CONSIDERATIONS

Officers are not authorized to carry department TASER devices while off-duty.

Officers shall ensure that TASER devices are secured while in their homes, vehicles or any other area under their control, in a manner that will keep the device inaccessible to others.

304.6 DOCUMENTATION

Officers shall document all TASER device discharges in the related arrest/crime report. Notification shall also be made to an immediate supervisor who shall document the TASER discharge on a Use of Force Report (TPD 57) in compliance with the Use of Force Policy. Unintentional discharges shall be documented on a TPD 41 to the officer's immediate supervisor. Deployments of the TASER which include, pointing the device at a person and/or laser activation will also be documented in Spillman and in the Sergeant's Daily Log.

304.6.1 REPORTS FORM

Officers should include the following in the arrest/crime report:

- (a) Identification of all personnel firing TASER devices.
- (b) Identification of all witnesses.
- (c) The type and brand of TASER device and cartridge and cartridge serial number.
- (d) Date, time and location of the incident.

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- (e) Whether any display or laser deterred a subject and gained compliance.
- (f) The number of TASER device activations, the duration of each cycle, the duration between activations, and (as best as can be determined) the duration that the subject received applications.
- (g) The range at which the TASER device was used.
- (h) The type of mode used (probe or drive-stun).
- (i) Location of any probe impact.
- (j) Location of contact in drive-stun mode.
- (k) Description of where missed probes went.
- (l) Whether medical care was provided to the subject.
- (m) Observations of the subject's physical and psychological actions.
- (n) Any known or suspected drug use, intoxication or other medical problems.
- (o) Whether the subject sustained any injuries.
- (p) Whether any officers sustained any injuries.

The Research and Training Division Commander should periodically analyze the report forms to identify trends, including deterrence and effectiveness. The Research and Training Division Commander should also conduct audits of data downloads. TASER device information and statistics, with identifying information removed, should periodically be made available to the public.

304.6.2 ANNUAL DOWNLOADING TASER DATA

Officers are responsible for having their issued TASER's data downloaded by the Rangemaster once per year (during the biannual qualification). The Rangemaster will perform the downloading of TASER data on a yearly basis.

304.7 MEDICAL TREATMENT

Consistent with local medical personnel protocols and absent extenuating circumstances, only appropriate medical personnel should remove TASER device probes from a person's body. Used TASER device probes shall be treated as a sharp biohazard, similar to a used hypodermic needle, and handled appropriately. Universal precautions should be taken.

All persons who have been struck by TASER device probes or who have been subjected to the electric discharge of the device shall be transported to a medical facility and medically cleared prior to booking. Additionally, any such individual who falls under any of the following categories should, as soon as practicable, be examined by paramedics or other qualified medical personnel:

- (a) The person is suspected of being under the influence of controlled substances and/or alcohol.

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- (b) The person may be pregnant.
- (c) The person reasonably appears to be in need of medical attention.
- (d) The TASER device probes are lodged in a sensitive area (e.g., groin, female breast, head, face, neck).
- (e) The person requests medical treatment.

The transporting officer shall inform any person providing medical care or receiving custody that the individual has been subjected to the application of the TASER device.

304.8 SUPERVISOR RESPONSIBILITIES

When possible, supervisors should respond to calls when they reasonably believe there is likelihood the TASER device may be used. A supervisor should respond to all incidents where the TASER device was deployed and/or discharged.

A supervisor should review each incident where a person has been exposed to an activation of the TASER device. The device's onboard memory should be downloaded through the data port by a Rangemaster or on-duty Watch Commander and saved with the related arrest/crime report. Photographs of probe sites should be taken and witnesses interviewed.

304.9 TRAINING

Personnel who are authorized to carry the TASER device shall be permitted to do so only after successfully completing the initial department-approved training.

Proficiency training for personnel who have been issued TASER devices should occur biannually. A reassessment of personnel's knowledge and/or practical skill may be required at any time if deemed appropriate by the Research and Training Division Commander. All training and proficiency for TASER devices will be documented in the officer's range training file.

The Rangemaster is responsible for ensuring that all members who carry TASER devices have received initial and annual proficiency training. Periodic audits should be used for verification.

Application of TASER devices during training could result in injury to personnel and should not be mandatory for certification.

The Rangemaster should ensure that all training includes:

- (a) A review of this policy.
- (b) A review of the Use of Force Policy.
- (c) Performing cross-draws to reduce the possibility of unintentionally drawing and firing a firearm.
- (d) Target area considerations, to include techniques or options to reduce the unintentional application of probes near the head, neck, chest and groin.
- (e) De-escalation techniques.

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